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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

24-MJ-77

DENNY ALVAREZ TAVAREZ,

(T. 18, U.S.C., § 2252(a)(4)(B))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

RACHEL MARIE KIDD, being duly sworn, deposes and states that she is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

On or about January 30, 2024, within the Eastern District of New York and elsewhere, the defendant DENNY ALVAREZ TAVAREZ did knowingly and intentionally possess with intent to view matter containing one or more visual depictions, to wit: images in digital files contained within an electronic device provided to United States Customs and Border Protection by the defendant at John F. Kennedy International Airport, and which visual depictions had been mailed, and shipped and transported in, and using a means and facility of, interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means, including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Section 2252(a)(4)(B)).

The source of your deponent's information and the grounds for his belief are as follows¹:

1. I am a Special Agent with HSI and have been since 2023. I am currently assigned to the Child Exploitation Investigations Unit. During my tenure with HSI, I have participated in the investigation of cases involving crimes against children. Specifically, I have experience investigating cases involving production, receipt, distribution and possession of child pornography and have conducted physical and electronic surveillance, executed search warrants, reviewed and analyzed electronic devices and interviewed witnesses. As part of my employment with HSI, I successfully completed the Federal Law Enforcement Training Center's Criminal Investigator Training Program and Homeland Security Investigations Special Agent Training, both of which included instruction with respect to the application for, and execution of, search and arrest warrants, as well as the application for criminal complaints and other legal processes. Prior to my employment with HSI, I worked as an analyst at the National Center for Missing and Exploited Children in Alexandria, Virginia. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their actions from detection by law enforcement.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

2. I have personally participated in the investigation of the offenses discussed below. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation, my review of documents, my training and experience and discussions I have had with other law enforcement personnel concerning the creation, distribution and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

3. On or about January 30, 2024, DENNY ALVAREZ TAVAREZ landed at John F. Kennedy International Airport, traveling from the Dominican Republic. He was stopped by United States Customs and Border Protection (“CBP”). A border search was conducted. During the search, DENNY ALVAREZ TAVAREZ voluntarily gave CBP officers his cell phone’s password. Upon manually reviewing his cell phone, CBP officers identified that there was child sexual abuse material on the cell phone.

4. I then reviewed the cell phone and confirmed that the device contained approximately 50 or more videos and over 100 images containing child sex abuse material. Specifically, there were, among others: (1) an approximately nine second video in which a female is touching a nude female toddler’s vagina; (2) an approximately one minute video in which a nude prepubescent female is giving oral sex to an adult male; and (3) an approximately eight minute video in which a nude prepubescent female is engaging in vaginal intercourse with an adult male. I reviewed, among other communications, text messages sent by the defendant requesting videos of persons “under 12” and “14 and 12.”

5. After being given Miranda warnings and agreeing to waive his Miranda rights, the defendant provided a voluntary confession to law enforcement officers, during which he stated, in sum and substance, that he used numerous social media applications to request, purchase, and download the child sexual abuse materials, and that he was aware that the persons depicted therein were minors.

WHEREFORE, I respectfully request that DENNY ALVAREZ TAVAREZ be dealt with according to law.



RACHEL MARIE KIDD
Special Agent
United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me this
31st day of January, 2024



THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK